In the Office Action mailed 4/15/2002, the examiner states "Holmes teaches identifying a delivery mechanism in response to the user profile (col 1, lines 66-67 through Col 2. lines 1-6) delivering a notice in response to the user profile(Col 2, lines 3-4 and Col 2 lines 19-21)."

However, Holmes does not disclose *"having a plurality of delivery vehicles that can be used in response to the user profile"*, instead Holmes discloses only one method by which messages can be sent from a computer based mail system to a mobile phone. The method Holmes discloses requires a valid MSISDN (mobile phone number) and the UNIX domain name where the gateway resides. Holmes discloses "Messages sent from a computer based mail system to a mobile phone 130 require a valid MSISDN (mobile phone number), and the UNIX domain name where the gateway resides." (Holmes, Col 4, lines 50-53). Other methods disclosed by Holmes concern messages sent from a mobile phone to a destination such as a LAN, Internet, etc, but not from a computer based mail system to a mobile phone or other devices. It is also important to note that these methods are addressing schemes not delivery vehicles in the sense that they provide in one instance a mapping of addresses of clients to an MSIDN number. Specifically, for messages originating from a mobile phone Holmes discloses "messages sent from a mobile phone to a destination (LAN 120, internet 140, etc.) may be addressed using a number of different methods. When a message is sent from an outside e-mail source to a mobile phone 130, the gateway 101 may create a new, temporary and unique reply MSISDN number associated with the reply address, before sending the message and the reply MSISDN number onto the mobile phone 130. if the user of the mobile phone 130 replies to this message the reply MSISDN number is sent with the reply message back to the gateway 101, which the gateway 101 can map back

onto the e-mail address of the original sender-either an internet mail address or some other type of client ID." (Holmes, Col 4, lines 59 - Col 5 line 5).

For messages originating from a mobile phone and not using the reply function Holmes discloses "For messages originating from the mobile phone 130, and not using the reply function, there are two methods available for determining delivery. If the message is destined for the Internet 140, the full Internet address of the recipient may be specified in the body of the message. The mobile phone 130 then transmits the message to the gateway 101 using a selected Internet mail relay MSISDN, which is a special number for Internet mail only." (Holmes, Col 5 lines 9-16). Finally Holmes discloses that for "Messages destined for a client 121 using the server 125 have two additional addressing options available to them. These options include two addressing schemes called number map addressing and number name map addressing. For corporate LAN e-mail systems, number map addressing requires a permanent MSISDN number be setup for each individual client 121 configured on the system 120. The system administrator for the system 120 assigns an additional 2 to 4 digit default ID that is tagged onto the permanent MSISDN when messages are sent. These number ranges are used to identify the destination client 121 to receive the message" (Holmes Col 5 lines 20-31)

On the other hand, applicant's claim 1 claims *"having a plurality of delivery vehicles that can be used in response to the user profile"* by which for example notification of an incoming email can be sent to a recipient such as a mobile phone using but not limited to Global Systems for Mobiles ("GSM") Short Messaging service ("SMS") or Simple Mail Transfer Protocol ("SMTP") as depicted in Fig. 1 of the present application. Also, applicant's claim 1 further claims *"identifying a default delivery vehicle when no delivery mechanism is defined in the user profile"*, which insures that the notification is delivered if no delivery vehicle is defined by the user in the user profile. This element is not found in Holmes.

As such, Holmes does not anticipate claim 1 of the present application because claim 1 of the present application includes elements not found, either expressly or inherently described in Holmes.

Independent claim 8 of the present application includes elements not found, either expressly or inherently described, in Holmes. As a result, Holmes does not anticipate claim 8.

Specifically, claim 8 of the present application includes the elements of " identifying a delivery mechanism *having a plurality of delivery vehicles that can be used* in response to the corresponding user profile" and "*identifying a default delivery vehicle when no delivery mechanism is defined in the user profile*"

However, for the same reasons discussed above in so far as claim 1, there is no finding, by either express or inherent description in Holmes of " identifying a delivery mechanism *having a plurality of delivery vehicles that can be used* in response to the corresponding user profile" and "*identifying a default delivery vehicle when no delivery mechanism is defined in the user profile*"

As such, claim 8 of the present application is not anticipated by Holmes because claim 8 of the present application includes elements not found, either expressly or inherently described, in Holmes.

Independent claim 15 of the present application includes elements not found, either expressly or inherently described, in Holmes. As a result, Holmes does not anticipate claim 15.

Specifically, claim 15 of the present application includes the elements of " identifying a delivery mechanism *having a plurality of delivery vehicles that can be used* in response to the user profile" and "*identifying a default delivery vehicle when no delivery mechanism is defined in the user profile*"

However, for the same reasons discussed above in so far as claim 1, there is no finding, by either express or inherent description in Holmes of " identifying a delivery mechanism *having a plurality of delivery vehicles that can be used* in response to the user profile" and "*identifying a default delivery vehicle when no delivery mechanism is defined in the user profile*"

As such, claim 15 of the present application is not anticipated by Holmes because claim 15 of the present application includes elements not found, either expressly or inherently described, in Holmes.

Independent claim 20 of the present application includes elements not found, either expressly or inherently described, in Holmes. As a result, Holmes does not anticipate claim 20.

Specifically, claim 20 of the present application includes the elements of " means for identifying a delivery mechanism *having a plurality of delivery vehicles that can be used* in response to the user profile" and "means for *identifying a default delivery vehicle when no delivery mechanism is defined in the user profile*"

However, for the same reasons discussed above in so far as claim 1, there is no finding, by either express or inherent description in Holmes of " means for identifying a delivery mechanism *having a plurality of delivery vehicles that can be used* in response to the user profile" and "means for *identifying a default delivery vehicle when no delivery mechanism is defined in the user profile"*

As such, claim 20 of the present application is not anticipated by Holmes because claim 20 of the present application includes elements not found, either expressly or inherently described, in Holmes.

The remaining claims depend from one of claims 1, 8, 15 and 20. As a result, the remaining claims include the distinguishing claim limitation discussed above and are therefore not anticipated by Holmes.

Condition for Allowance

The Applicants submit that all rejections have been overcome and the present application is now in condition for allowance. If a telephone interview would in any way expedite the prosecution of this application, the Examiner is invited to contact John Ward at (408) 720-8598.

Charge Deposit Account

If there are any additional charges, please charge them to our Deposit Account Number 02-2666.

CONCLUSION

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call John Ward at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 7/24/2002

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ATTACHMENT A

A marked-up version of the amended claims is as follows:

1. (Once Amended) A method comprising:

Creating a user profile database;

Obtaining new information;

Identifying a user profile from the user profile database in response to the new information;

Identifying a delivery mechanism having a plurality of delivery vehicles that can be used in response to the user profile;

Identifying a default delivery vehicle when no delivery mechanism is defined in the user profile; and

Delivering a notice in response to the user profile.

2. The method of claim 1 further comprising:

receiving the user profile including a registration request and a criterion of customization from the user; and

storing the user profile in the user profile database.

3. The method of claim 1, wherein obtaining new information includes receiving the new information from a communication network.

4. The method of claim 1, wherein identifying a delivery mechanism includes selecting a Short Messaging Service ("SMS") of Global System for Mobiles for the delivery mechanism in response to the user profile.

5. (Amended) The method of claim 1, wherein [the] identifying a delivery mechanism includes selecting Simple Mail Transfer Protocol ("SMTP") for the delivery mechanism in response to the user profile.

6. The method of claim 1, wherein delivering of intelligent notice includes sending a notice in a secure manner.

7. (Once amended) The method of claim 1, wherein delivering an intelligent [notifice] notice includes sending a notice that is customized according to criterion stored in the user profile database.

8. (Once Amended) A system for sending a customized notice comprising:

a processor;

a memory, coupled to the processor, to store a notification agent, wherein the notification agent maintains a plurality of user profiles and each user profile contains a plurality of criteria for customizing the notice, wherein during execution, the notification agent performs:

obtaining new information;

identifying a corresponding user profile associate with the new information;

identifying a delivery mechanism having a plurality of delivery vehicles that can be used in response to the corresponding user profile;

identifying a default delivery vehicle when no delivery mechanism is defined in the user profile; and

utilizing the delivery mechanism to send a notice in response to the user profile.

9. The system of claim 8, wherein the new information is digital information.

10. The system of claim 8, wherein the new information is an electronic mail capable of traveling across a communication network.

11. The system of claim 8, wherein the user profile contains at least a user name, a list of notification criteria, and a list of delivery mechanisms.

12. The system of claim 8, wherein the customized notice is a secured notice in response to the corresponding user profile.

13. The system of claim 8, wherein the customized notice is receivable by a mobile unit.

14. The system of claim 13, wherein the mobile unit is a cellular phone.

15. (Once Amended) An article of manufacture for use in an intelligent notification system for storing an intelligent agent, the article of manufacture comprising a machine readable medium having machine readable program code embodied in the medium, the program code comprising:

Creating a user profile database;

Obtaining new information;

Identifying a user profile from the user profile database in response to the new information;

Identifying a delivery mechanism having a plurality of delivery vehicles that can be used in response to the user profile;

Identifying a default delivery vehicle when no delivery mechanism is defined in the user profile; and

Delivering a notice in response to the user profile.

16. An article of manufacture of claim 15, the program code further comprising:

receiving a user profile including a registration request and criterion of customization from the user; and

storing the user profile in the user profile database.

17. The article of manufacture of claim 15, the program code wherein the new information is transmitted over communication network.

18. (Once amended) The article of manufacture of claim 15, the program code wherein [the] identifying a delivery mechanism includes selecting Short Messaging Service ("SMS") of Global System for Mobiles for the delivery mechanism in responds to the user profile.

19. (Once amended) The article of manufacture of claim 15, the program code wherein [the] identifying a delivery mechanism includes selecting Simple Mail Transfer Protocol ("SMTP") for delivery mechanism in [responds] response to the user profile.

20. (Once Amended) An apparatus:

means for creating a user profile database;

means for obtaining new information;

means for identifying a user profile from the user profile database in response to the new information;

means for identifying a delivery mechanism having a plurality of delivery vehicles that can be used in response to the user profile;

means for identifying a default delivery vehicle when no delivery mechanism is defined in the user profile; and

means for delivering a notice in response to the user profile.

21. The apparatus of claim 20 further comprising:

means for receiving a user profile including a registration requests and criterion of customization from the user; and

means for storing the user profile in the user profile database.

22. The apparatus of claim 20, wherein the means for obtaining new information includes means for receiving the new information from a communication network.

23. (Once amended) The apparatus of claim 20, wherein the means for identifying a delivery mechanism includes means for selecting Short Messaging Service ("SMS") for the delivery mechanism in [responds] response to the user profile.

24. (Once amended) The apparatus of claim 20, wherein the means for identifying a delivery mechanism includes means for selecting Simple Mail Transfer Protocol ("SMTP") for delivery mechanism in [responds] response to the user profile.

25. The apparatus of claim 20, wherein the means for delivering an intelligent notice includes means for sending a secured notification.

26. The apparatus of claim 20, wherein the means for delivering an intelligent notice includes means for sending a notice that is customized according to criterion stored in the user profile database.